

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION AT MEMPHIS

S19001/MR-47485-MD

THOMAS M. GOLD  
CLERK OF DISTRICT COURT

05 NOV 15 PM 2:09

FILED BY  D.C.

LUCILLE PITTMAN, by and  
through her Next Friend and Attorney-in-Fact,  
VIOLA P. SYKES,

Plaintiff,

NO. 04-3003-D/P  
JURY DEMANDED

v.

MOHAMAD J. AKBK, M.D.;  
MOHAMAD J. AKBK, M.D., P.C.;  
GREGORY EUGENE VANDEVEN, M.D.;  
SARAH GRIFFIN, R.N.;  
KAREN FRANKLIN, L.P.N.;  
KATHY WESSELS, R.N.; and  
DMC-MEMPHIS, INC. d/b/a DELTA MEDICAL CENTER,

Defendants.

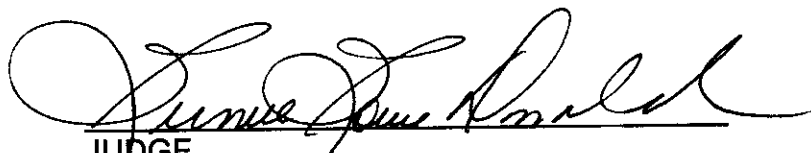
**ORDER GRANTING SUMMARY JUDGMENT MOTION OF  
DEFENDANT MOHAMAD J. AKBK, M.D. AND  
MOHAMAD J. AKBK, M.D., P.C.**

On the 10<sup>th</sup> day of November, 2005, the Motion for Summary Judgment and Motion to Dispose of Dr. Akbik's Motion for Summary Judgment on behalf of Mohamad J. Akbik, M.D. and Mohamad J. Akbik, M.D., P.C., came before the Court. From the Memoranda and other documents filed in support of said motions, and based on the absence of any opposition to the Motion to Dispose of Motion for Summary Judgment of Mohamad J. Akbik, M.D. and Mohamad J. Akbik, M.D., P.C., by plaintiff or any co-defendant, and upon the entire record in this case, the Court finds that the



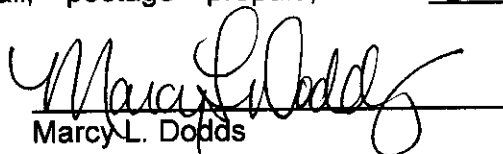
Motion for Summary Judgment on Behalf of Mohamad J. Akbik, M.D. and Mohamad J. Akbik, M.D., P.C. is well taken and should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Motion for Summary Judgment on Behalf of Mohamad J. Akbik, M.D. and Mohamad J. Akbik, M.D., P.C. be and is hereby granted and therefore the Plaintiff's Complaint is dismissed on the merits as to Defendants Mohamad J. Akbik, M.D. and Mohamad J. Akbik, M.D., P.C., with prejudice. The Court specifically directs that the judgment as to Mohamad J. Akbik, M.D. and Mohamad J. Akbik, M.D., P.C., be designated as a final judgment, there being no just reason for delay. The Clerk's costs of this action are to be reserved and assessed as appropriate at the outcome of the remainder of this case, however, in no event, shall any costs be assessed against Defendants Mohamad J. Akbik, M.D. and Mohamad J. Akbik, M.D., P.C.

  
JUDGE  
DATED: November 10, 2005

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document has been properly served upon Mr. W. Bryan Smith, The Cochran Law Firm, 2600 One Commerce Square, Memphis, TN 38103, Thomas Pinckney, Attorney at Law, 300 James Robertson Parkway, Nashville, TN 37201, Jerry Potter, Attorney at Law, 119 South Main, Suite 300, Memphis, TN 38103 and William Haltom, Attorney at Law, 2900 One Commerce Square, Memphis, TN 38103 via U.S. Mail, postage prepaid, this 3rd day of Nov, 2005.

  
Marcy L. Dodds



## Notice of Distribution

This notice confirms a copy of the document docketed as number 98 in case 2:04-CV-03003 was distributed by fax, mail, or direct printing on November 16, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT